Amendments to the Drawings

The attached sheets of drawings include amended Figure 1 and new Figure 5. The sheet containing amended Figure 1 replaces the original sheet containing original Figure 1.

Attachment: 1 replacement sheet containing amended Figure 1 and 1 new sheet containing new Figure 5.

REMARKS

Claims 1 to 6 are pending in the application. Claims 1 and 6 have been amended, and new claims 7 to 16 have been added, herein. No claims have been canceled. The drawings have been amended as discussed more fully below, and the specification has been amended to reflect the changes made to the drawings. No new matter has been added.

Applicant respectfully requests reconsideration of the rejections of record in view of the foregoing amendments and the following remarks.

Objection to the Drawings

Figure 1 has been objected to under M.P.E.P. § 608.02(g) because the figure is not labeled as prior art. Without conceding the correctness of the objection, figure 1 has been amended to add a legend reciting "prior art." No new matter has been added.

In addition, the drawings have been objected to under 37 C.F.R. § 1.83(a) because they allegedly do not show every feature of the invention specified in the claims. Specifically, the Office action asserts that a first reservoir, second reservoir, power source, active agent formulation, and electrolyte formulation must be shown in the drawings or canceled from the claims. *See* Office action dated January 30, 2006, page 2. Without conceding the correctness of the objection, new figure 5 is being submitted herewith that includes the device depicted in figure 4, as well as a second set of the elements depicted in figure 4, a first reservoir containing an active agent formulation, a second reservoir containing a biocompatible electrolyte formulation, and a power source. Support for figure 5 is found throughout the specification as originally filed, including, for example, original claim 1. No new matter has been added.

Paragraph 26 of the specification has been amended to add a brief description of figure 5. A new paragraph has been added to the specification, and paragraphs 27, 30, 31, 33, and 34 have been amended, to add a description of the features of figure 5 that are not present in figure 4. Support for the amendments is found throughout the specification as originally filed, including, for example, original claim 1. No new matter has been added.

Objection to the Specification

The specification has been objected to under 37 C.F.R. § 1.75(d)(1) for allegedly failing to provide proper antecedent basis for the claimed subject matter. The Office action asserts that "[c]laimed subject matter is not supported by the specification nor discussed in the "Modes for Carrying Out the Invention section." Office action dated January 30, 2006, page 3.

"The claim or claims must conform to the invention as set forth in the remainder of the specification and the terms and phrases used in the claims must find clear support or antecedent basis in the description so that the meaning of the terms in the claims may be ascertainable by reference to the description." 37 C.F.R. § 1.75(d)(1). Applicant respectfully submits that the terms and phrases used in the present claims are fully supported by the description. As an illustration, passages of the specification that provide exemplary support for amended claims 1 to 6 are indicated in the table below. The meaning of the indicated claim language can be ascertained by reference to the portions of the description identified in the table. Those skilled in the art would thus be able to readily ascertain the meaning of the terms and phrases used in the claims upon review of the description.

Claim	Claim Language	Exemplary Support in the Description
1	An electrotransport device, comprising	Paragraph 4, page 1, lines 28-29.
1	first and second electrodes	Paragraph 4, page 1, lines 29-31.
1	a first reservoir adapted to receive an active agent formulation	Paragraph 11, page 4, lines 11-14
1	a second reservoir adapted to receive an electrolyte formulation	Paragraph 12, page 5, lines 1-2.
1	said first reservoir being in communication with said first electrode	Paragraph 6, page 2, lines 15-18.
1	said second reservoir being in communication with said second electrode	Paragraph 6, page 2, lines 15-18.
1	a power source	Paragraph 11, page 4, lines 16-17.
1	electronic circuitry in communication with at least said first and second electrodes	Paragraph 11, page 4, lines 17-24.
1	a non-conductive reservoir housing having an internal cavity containing said first electrode and said first	Paragraph 25, page 9, line 16; paragraph 31, page

	reservoir	11, lines 9 to 13.
1	said reservoir housing including an electrically conductive element integrally molded within the non-conductive housing	Paragraph 25, page 9, lines 12-14 and line 23.
1	and having a first end in communication with said first reservoir and	Paragraph 31, page 11, lines 10-13.
1	a second end that is disposed on the outside of said reservoir housing and extends therefrom	Paragraph 32, page 11, lines 15-19.
1	said second end of said conductive element being adapted to be operatively connected to said power source	Paragraph 30, page 11, lines 1 to 4.
1	whereby electrical communication between said first reservoir, said electronic circuitry and said power source is provided.	Paragraph 25, page 9, lines 15-17, paragraph 30, page 11, lines 1-4.
2	said power source is in communication with said electronic circuitry and said second end of said conductive element is adapted to be connected to said electronic circuitry	Paragraph 30, page 11, lines 1-7.
3	said conductive element comprises a substantially planar member	Figures 3 and 4.
4	wherein said conductive element is substantially flexible	Paragraph 25, page 9, line 12-13; paragraph 32, page 11, lines 15-17.
5	said conductive element includes a base member having a conductive coating disposed thereon	Paragraph 27, page 10, lines 12-14; paragraph 30, page 11, lines 1-7.
6 - 16	(See claim listing above)	Paragraph 7, page 2, line 25 to page 3, line 13.

Alleged Anticipation

Claims 1 to 6 have been rejected under 35 U.S.C. § 102(b) as allegedly anticipated by U.S. Patent Number 6,295,469 ("the Linkwitz patent"). The Office action asserts that the Linkwitz patent discloses each limitation of claims 1 to 6. Applicant respectfully requests reconsideration and withdrawal of the rejection because the Linkwitz patent fails to describe or suggest each limitation of the amended claims.

Preliminarily, claim 1 has been amended to recite that the electrotransport device comprises, *inter alia,* a non-conductive reservoir housing that has an internal cavity and contains the first electrode and the first reservoir. Claim 1 as amended further recites an electrically conductive element that is integrally molded within the non-conductive housing, and the first end of the element is in communication with the first reservoir. In addition,

claim 1 recites that the second end of the electrically conductive element extends from the reservoir housing and is on the outside of the housing. Support for the amendments is found throughout the specification as originally filed, as indicated in the table above. No new matter has been added.

The Linkwitz patent fails to describe or suggest electrotransport devices that contain the features recited in the amended claims. For example, the devices described in the Linkwitz patent do not have a non-conductive reservoir housing that has an internal cavity containing the first electrode and the first reservoir. As shown in figure 4 of the patent and described at column 10, lines 28 to 31, the donor electrode assembly **74** is comprised of a foam layer **81** having a centrally positioned cavity holding a donor reservoir **82**. The cavity does not also contain an electrode. Accordingly, the devices described in the Linkwitz patent do not have a reservoir housing that has an internal cavity that contains both an electrode and a reservoir.

In addition, the devices described in the Linkwitz patent do not have an electrically conductive element that is integrally molded within a non-conductive housing. The devices described in the Linkwitz patent have a flexible connector **75** that connects electrode assemblies **73** and **74**. *See* Figure 5 and col. 9, lines 48 to 50. As shown in figure 4, however, the flexible connector of the Linkwitz patent is not integrally molded within a non-conductive housing. The connector is not contained within a housing at all, because the devices of the Linkwitz patent do not contain a non-conductive housing that covers and contains a donor reservoir and electrode.

Finally, the devices described in the Linkwitz patent do not have an electrically conductive element with a second end that is on the outside of a non-conductive reservoir housing and that extends from the housing. As show in figure 4 of the Linkwitz patent and as discussed above, the devices described in the Linkwitz patent do not have a non-conductive housing that covers and contains the donor reservoir and electrode. Accordingly, one end of the flexible connector is not molded within a non-conductive housing, and the other end does not extend from the housing to the outside of the housing. The Linkwitz patent thus fails to describe or suggest every limitation of the present claims, and Applicant accordingly, respectfully requests withdrawal of the rejection.

Miscellaneous

Claim 6 has been amended to delete the examples of certain classes of therapeutic agents recited in the claim, and new claims 7 to 16 have been added, which recite the exemplary therapeutic agents deleted from claim 6. No new matter has been added.

Conclusion

Applicant submits that the foregoing constitutes a complete and full response to the Office action of record. Accordingly, an early and favorable action is respectfully requested.

Respectfully submitted,

Date: May 10, 2006

Jane Inglese

Jane E. Inglese, Ph.D.
Registration No. 48,444

Woodcock Washburn LLP
One Liberty Place - 46th Floor
Philadelphia PA 19103
Telephone: (215) 568-3100
Facsimile: (215) 568-3439